

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87448 of 2024
Arising Out of PS. Case No.-366 Year-2024 Thana- JANDAHA District- Vaishali

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1. Pankaj Kumar Son of Suresh Singh village -Chak Faridabad PS -Jandaha District -Vaishali
 2. Rahul Kumar Son of Rajeshwar Singh village -Chak Faridabad PS -Jandaha District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh
For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-01-2025 1. Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Jandaha Police Station Case No. 366 of 2024, disclosing offences under Sections 317(5), 3(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the FIR, on 08.10.2024, during the patrolling, the police party intercepted one motorcycle and upon seeing the police party, the persons sitting on the motorcycle fled away. Upon search, total 18 liters of country made liquor was recovered from the motorcycle.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence as alleged and they have been made accused on the basis of their names disclosed



by the informer. The motorcycle from where the illicit liquor has been recovered does not belong to the petitioners as stated in paragraph 10.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has not been recovered from the vehicle owned by the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. I-cum-Additional District and Sessions Judge-1st, Vaishali at Hajipur, in connection with Jandaha Police Station Case No. 366 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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